

# SB 974 (EVANS) STATE PARKS CLOSURE REVIEW ACT

## THE GOAL

To establish a transparent and legally defensible process to review state park closures and require plans and priorities for reopening state parks. This bill will provide assurances to the legislature and the public that parks closures, when they occur, are temporary, and that they will be reopened when certain conditions are met.

## BACKGROUND

According to testimony by the Deputy Director of the California Department of Parks and Recreation (DPR) at the Assembly Water, Parks and Wildlife Committee hearing on November 1, 2011, DPR did not engage in a formal or a public process to decide which parks to close. There was no CEQA analysis, no study of economic impacts on local communities, and no records kept of the meetings. The result was a closure list of 70 parks to provide for annual savings of \$22 million. Among those targeted for closure are 16 parks which accepted Land and Water Conservation funds from the federal government requiring DPR to keep those parks open, as well as 11 parks that are mandated to maintain coastal access.

State Parks are crucial to California's environmental legacy and they are of vital historic, cultural, and economic significance to the state. If closures are considered, there must be a formal, transparent and inclusive process to confirm that these closures are well thought out and have the least negative impacts on the environment, economy and community as possible. Nor should parks should be closed indefinitely. There must be a process in place for reopening parks when the means become available, and the Legislature, should be made aware of the status of the closing and reopening of parks on an annual basis.

## THIS BILL

This legislation is being developed in response to the state parks closures slated for July 1, 2012. It would require that DPR develop a formal and transparent process to examine potential closures using defined criteria. The criteria would include that already developed by the legislature in AB 95, public hearings, an examination of

economic impacts on local communities; a determination if a CEQA analysis is needed; costs of closures in terms of deferred maintenance, liability, and security; and that all minutes of DPR meetings discussing closures be kept and be available to the public. The legislation would also require that DPR examine other budget savings measures in lieu of closures.

Additionally, DPR must demonstrate that acquisition agreements with the federal government connected with the Land and Water Conservation Act are being honored, and that public access to the coast is being protected.

Also, DPR will be required by no later than July 1, 2013 to prepare a plan for the reopening of each closed park unit or a transfer of that unit to another public agency that has the ability to reopen and operate the park. The plan will address, among other things, safety issues, resource protection issues, revenue projections, revenue generation projects, and community involvement in the park.

By July 1, 2014 and every year after, DPR will submit to the Legislature a master parks reopening plan which sets out priority actions and determines a process for reopening any park that has been closed. DPR must give a higher priority to parks that have had operating agreements with nonprofit organizations; significant donations and community support, as well as consider the impact of a closure on nearby communities.

SB 974 does not interfere with contracted agreements that non-profits, local public agencies and federal agencies have made to manage state parks. There would be no closure review or reopening process for these parks until their contracts expire.

## **RELATED LEGISLATION**

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AB 95 (2011, Chaptered) – Provides criteria for determining which State Parks will be closed in order to implement the approved State Parks reduction.

AB 42 (2011, Chaptered) – Authorizes the Department of Parks and Recreation to enter into operating agreements with qualified nonprofit organizations to operate a state park unit.

## **SUPPORT**

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Sierra Club of California  
Audubon California  
Mendocino County Board of Supervisors  
California Hotel & Lodging Association  
California State Parks Foundation  
Trust for Public Land

## **OPPOSITION**

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N/A

## **FOR MORE INFORMATION**

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